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Erich D. Hemm 47,286
Name of Attorney or Agent Registration No.

Erich D. Hemm
Signature of Attorney or Agent



P&G Case 6586R

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of :
Michael Kenneth Cerreta, et al. : Confirmation No. 9009
Serial No. 08/914,743 : Group Art Unit: 1623
Filed: August 19, 1997 : Examiner: White, Everett

For A FLOWABLE NONDIGESTIBLE OIL AND PROCESS FOR MAKING

SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, record is being made below in a Form PTO/SB08 of documents which the Patent Office may wish to consider in connection with examination of the above-identified patent application. It is respectfully requested that the cited documents be carefully considered by the Examiner and made of record in this case. As provided in §1.97(g), no representation is made or intended that a thorough art search was made. As provided in 37 C.F.R. §1.97(h), this Information Disclosure Statement does not constitute an admission of any kind, and specifically is not an admission that the documents listed on attached form PTO/SB08 are, or are considered to be, material to the patentability of the above-identified patent application, as defined in 37 C.F.R. §1.56(b).

1. ☐ 37 C.F.R. §1.97 (b)(1) - U.S. Direct (within 3-months of filing a regular application or converted provisional)

This information disclosure statement, submitted under 37 C.F.R. §1.97 (b)(1), is being filed within three months of the filing date of a national application. Therefore, no fee is believed to be due.

2. ☐ 37 C.F.R. §1.97 (b)(2) - Via PCT (within 3 mo. of Nat'l Stage Entry)

This information disclosure statement, submitted under 37 C.F.R. §1.97 (b)(2), is being filed within three months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application. Therefore, no fee is believed to be due.

3. ☐ 37 C.F.R. §1.97 (b)(3) - (>3 mo. after filing direct or nat'l stage entry, but before 1st O.A.)

This information disclosure statement is being submitted under 37 C.F.R. §1.97 (b)(3). Applicants have not received an Office Action on the merits in the present application. Therefore, no fee is believed to be due. However, in the event that this paper is crossing in the mail with a first Office Action on the merits, authorization is hereby given to charge the required fee pursuant to 37 C.F.R. §1.97(c) and 37 C.F.R. §1.17(p) to Deposit Account No. 16-2480 in the name of The Procter & Gamble Company. A duplicate of this letter is enclosed to facilitate charging of the fee, if necessary.

THE FOLLOWING IS ADDITIONAL INFORMATION PERTAINING TO (2) OR (3) MARKED WITH AN (X) ABOVE.

(a) ☐ The Notification of Acceptance of this Application Under 35 U.S.C. §371 indicates that both a copy of the International Search Report and copies of the references cited therein are present in the national stage file. In accordance with MPEP §1893.03(g), it is respectfully requested that the Examiner note the consideration of these references in the first Office Action via the PTO-892 form.

(b) ☐ The Notification of Acceptance of this Application Under 35 U.S.C. §371 indicates that a copy of the International Search Report is present in the national stage file. Copies of the references cited in that report are enclosed.

(c) ☐ The Notification of Acceptance of this Application Under 35 U.S.C. §371 does not indicate that a copy of the International Search Report and copies of the references cited are present in the national stage file. Copies of the International Search Report and references are attached.

4. ☐ 37 C.F.R. §1.97 (b)(4) - (before the mailing of a first Office Action after the filing of a request for continued examination under §1.114)

This information disclosure statement, submitted under 37 C.F.R. §1.97(b)(4), is being filed with the Request for Continued Examination (RCE) under 37 C.F.R. §1.114.

5. ☐ Information to be Considered with CPA Filing. This information disclosure statement is being filed with a Continued Prosecution Application (CPA) filed under 37 CFR 1.53(d).

6. ☒ 37 C.F.R. §1.97(c) with fee payment - (use after 1st Office Action & before Final Office Action or Notice of Allowance)

This information disclosure statement is being submitted under 37 C.F.R. §1.97(c). Applicant(s) have not received a final action under 37 C.F.R. §1.113, a notice of allowance under 37 C.F.R. §1.311, or an action that otherwise closes prosecution in the application (e.g., *Ex parte*

Quayle) as of the date of this submission. Applicant(s) elect to pay the fee set forth in 37 C.F.R. §1.17(p). Please charge the fee set forth in 37 C.F.R. §1.17(p) to Deposit Account Number 16-2480 in the name of The Procter & Gamble Company. A duplicate copy of this letter is enclosed to facilitate the charging of the fee.

ADDITIONAL ITEMS TO BE NOTED BY THE EXAMINER:

☐ (1) Copies of the cited references were previously cited by or submitted to the USPTO in prior application Case No. ____, U.S. Patent Application Serial No. __, filed __. Applicants claim priority to said application under 35 U.S.C. §120. Accordingly, copies of those documents are not provided with this Statement, pursuant to 37 C.F.R. §1.98(d).

OR

☒ (2) Copies of the cited documents are enclosed.

OR

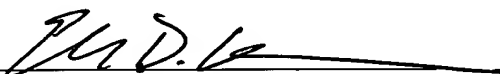
☐ (3) Copies of all said documents, except document No.'s _____, were submitted and considered in parent application U.S. Patent Application Serial No. _____, filed _____. Applicant(s) claim priority to said application under 35 U.S.C. §120. Accordingly, copies of document No.'s _____ are not provided with this Statement, pursuant to 37 C.F.R. §1.98(d). Copies of document No.'s _____ are enclosed. It is respectfully requested that the cited documents be carefully considered by the Examiner and made of record in this case.

☐ (4) Pursuant to 37 C.F.R. §1.98(c), a concise explanation of the relevance of each cited reference that is not in the English language is provided.

☒ (5) Applicants also respectfully request the Examiner to consider and make of record the copending applications listed on the attached page.

☐ Additional information is attached.

Respectfully submitted,

By 
Erich D. Hemm
Attorney for Applicants
Registration No. 47,286
(513) 634-8960

Date: June 25, 2002

Customer No. 27752

COPENDING APPLICATIONS

Entire copies of all co-pending applications (or the portion of the application and claims that caused it to be cited) must be sent with the IDS (see 37 CFR 1.98(a)(2)(iii))

<u>Atty. Docket No.</u>	<u>Serial Number</u>	<u>Inventor(s)</u>	<u>Filing Date</u>
6650M	09/424,185	Volker	November 19, 1999
7163	09/424,186	Volker, et al.	February 11, 2000

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FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.



Complete if Known

Application Number 08/914,743
 Confirmation Number 9009
 Filing Date August 19, 1997
 First Named Inventor Michael Kenneth Cerreta
 Examiner Name White, Everett
 Group/Art Unit 1623
 Attorney Docket No. 6586R

TECH CENTER 1600/2900
 JUL 08 2002

TOTAL AMOUNT OF PAYMENT (\$180.00)

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 16-2480
 Deposit Account Name The Procter & Gamble Company

☒ Charge Any Additional Fee Required Under status. 37 C.F.R. §§1.16 and 1.17

FEE CALCULATION

1. BASIC FILING FEE - Large Entity

Code (\$)	Fee Description	Fee Paid
101 740	Utility filing fee	
106 330	Design filing fee	
108 740	Reissue filing fee	
114 160	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES - Large Entity

	Extra Claims	Fee from Below	Fee Paid
Total Claims	0 - 20** = 0 x	0 =	0
Independent Claims	0 - 3** = 0 x	0 =	0
Multiple Dependent		0 =	0

** or number previously paid, if greater; For Reissues, see below

Code (\$)	Fee Description
103 18	Claims in excess of 20
102 84	Independent claims in excess of 3
104 280	Multiple dependent claim, if not paid
109 84	**Reissue independent claims over original patent
110 18	**Reissue claims in excess of 20 & over original patent

SUBTOTAL (2) (\$)

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Code (\$)	Fee Description	Fee Paid
105 130	Surcharge-late filing fee or oath	
127 50	Surcharge-late provisional filing fee or cover sheet	
139 130	Non-English specification	
147 2,520	For filing a request for <i>ex parte</i> reexamination	
112 920*	Requesting publication of SIR prior to Examiner's action	
113 1,840*	Requesting publication of SIR after Examiner's action	
115 110	Extension for reply within 1 st month	
116 400	Extension for reply within 2 nd month	
117 920	Extension for reply within 3 rd month	
118 1,440	Extension for reply within 4 th month	
128 1,960	Extension for reply within 5 th month	
119 320	Notice of Appeal	
120 320	Filing a brief in support of an appeal	
121 280	Request for oral hearing	
138 1,510	Petition to institute a public use proceeding	
140 110	Petition to revive - unavoidable	
141 1,280	Petition to revive - unintentional	
142 1,280	Utility issue fee (or reissue)	
143 460	Design issue fee	
122 130	Petitions to the Commissioner	
123 50	Petitions related to provisional applications	
126 180	Submission of Information Disclosure Statement	<input checked="" type="checkbox"/>
146 740	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 740	For each additional invention to be examined (37 CFR § 1.129(b))	
179 740	Request for Continued Examination (RCE)	
169 900	Request for expedited examination of a design application	
091 1280	Acceptance of unintentionally delayed claim for priority under 35 U.S.C. 119, 120, 121, or 365 (a) or (c)	
	Other fee (specify)	
	Other fee (specify)	

* Reduced by Basic Filing Fee Paid SUBTOTAL(3) (\$) [180]

SUBMITTED BY

Name (Print/Type) Erich D. Hemm

Registration No. (Attorney/Agent) 47,286

Complete (if applicable)

Telephone (513) 634-8960

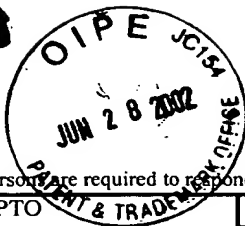
Signature

Date

June 25, 2002

WARNING: Information on this form may become public. Credit Card information should not be included on this form. Provide credit card information and authorization on PTO-2038.
 Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, D.C. 20231.

Please type a plus sign (+) inside this box → [+]



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PTO/SB08A (08-00)

Approved for use through 10/31/2002 OMB 0651-0031
Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/PTO

COMPLETE IF KNOWN

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

SHEET 1 of 2

Application Number	08/914,743
Confirmation Number	9009
Filing Date	August 19, 1997
First Named Inventor	Michael Kenneth Cerreta
Group Art Unit	1623
Examiner Name	E. White
Attorney Docket Number	6586R

U. S. PATENT DOCUMENTS

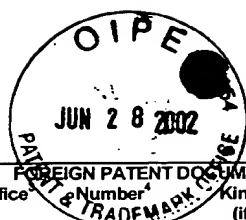
EXAMINER INITIALS*	Cite No.¹	U.S. PATENT DOCUMENT Number	Kind Code² (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
		2,482,761		Goebel	Sep. 27, 1949	
		2,731,481		Harrison, et al.	Jan. 17, 1956	
		2,793,219		Barrett, et al.	May 21, 1957	
		2,831,854		Tucker, et al.	Apr. 22, 1958	
		2,962,419		Westfield	Nov. 29, 1960	
		3,353,967		Lutton	Nov. 21, 1967	
		3,579,548		Whyte	May 18, 1971	
		3,600,186		Mattson, et al.	Aug. 17, 1971	
		3,932,532		Hunter, et al.	Jan. 13, 1976	
		3,963,699		Rizzi, et al.	Jun. 15, 1976	
		4,005,195		Jandacek	Jan. 25, 1977	
		4,034,083		Mattson	Jul. 5, 1977	
		4,368,213		Höllenbach, et al.	Jan. 11, 1983	
		4,455,333		Hong, et al.	Jun. 19, 1984	
		4,461,782		Robbin, et al.	Jul. 24, 1984	
		4,508,746		Hamm	Apr. 2, 1985	
		4,517,360		Volpenhein	May 14, 1985	
		4,518,772		Volpenhein	May 21, 1985	
		4,582,715		Volpenhein	Apr. 15, 1986	
		4,582,927		Fulcher	Apr. 15, 1986	
		4,797,300		Jandacek, et al.	Jan. 10, 1989	
		4,840,815		Meyer, et al.	Jun. 20, 1989	
		4,861,613		White, et al.	Aug. 29, 1989	
		4,888,195		Huhn, et al.	Dec. 19, 1989	
		4,983,329		Cooper	Jan. 8, 1991	
		5,175,323		Cooper	Dec. 29, 1992	
		5,211,981		Purves, et al.	May 18, 1993	
		5,273,772		Cooper	Dec. 28, 1993	
		5,288,884		Cooper	Feb. 22, 1994	
		5,298,637		Cooper	Mar. 29, 1994	
		5,304,665		Cooper, et al.	Apr. 19, 1994	
		5,362,894		Handwerker, et al.	Nov. 8, 1994	
		5,374,446		Ferenz, et al.	Dec. 20, 1994	
		5,387,429		Cooper	Feb. 7, 1995	
		5,399,728		Cooper	Mar. 21, 1995	
		5,399,729		Cooper, et al.	Mar. 21, 1995	
		5,427,815		Ferenz	Jun. 27, 1995	
		5,466,843		Cooper	Nov. 14, 1995	
		5,512,373		Cooper, et al.	Apr. 30, 1996	
		5,516,544		Sekula, et al.	May 14, 1996	
		5,589,217		Mazurek	Dec. 31, 1996	
		5,597,605		Mazurek	Jan. 28, 1997	
		5,603,978		White, et al.	Feb. 18, 1997	
		5,641,534		White, et al.	Jun. 24, 1997	

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FOREIGN PATENT DOCUMENTS

EXAMINER INITIALS*	Cite No. ¹	Office	Foreign Patent Document Number ²	Kind Code ³ (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T ⁴
		EP	0 322 027	/	Seiden	Jun. 28, 1989		
		EP	0 325 010	/	White, et al.	Jul. 26, 1989		
		EP	0 375 027	/	Letton, et al.	Jun. 27, 1990		
		EP	0 571 219	/	Masten	Nov. 24, 1993		
		EP	0 667 105	/	Ziegert, et al.	Aug. 16, 1995		
		WO	93/00823	/	Muller	Jan. 21, 1993		
		WO	94/09638	/	Howie	May 11, 1994		
		WO	94/09641	/	Elsen, et al.	May 11, 1994		
		WO	97/22260	/	Sekula, et al.	Jun. 26, 1997		
		WO	98/52428	/	Volker, et al.	Nov. 26, 1998		
		WO	98/52429	/	Volker	Nov. 26, 1998		

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

EXAMINER INITIALS*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ⁴
		J. Amer. Oil Chem. Soc., Vol. 55 (1978), pp. 328-331.	
		HOFFMAN, ROBERT - The Modulation Contrast Microscope: Principles and Performances, Journal of Microscopy, Vol. 110, Pt 3, August 1977, pp. 205-222.	
EXAMINER		DATE CONSIDERED	

EXAMINER: Initial if reference considered, whether or not citation is in conformance with M.P.E.P. 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

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